THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.17280 of 2005

ORAL ORDER:

This writ petition is filed seeking a Mandamus directing the first respondent to adhere to the instructions issued in G.O.Ms.No.53 dated 6.10.2003 while selecting the candidates for fair price shop of West Gangavaram village, Kurichedu mandal, Prakasam district.

It appears, the petitioner was granted temporary dealership of fair price shop No.21 of West Gangavaram village. While so, the second respondent issued notification dated 7.5.2005 inviting applications for filling up of the post of fair price shop dealer of West Gangavaram village on permanent basis from the candidates belonging to general category. Aggrieved by the same, the present writ petition is filed complaining that the notification dated 7.5.2005 issued by the second respondent is not in tune with the instructions issued by the Government in G.O.Ms.No.53 dated 6.10.2003.

The learned counsel for petitioner strenuously contended that though all the conditions as required under G.O.Ms.No.53 were notified, but the fact that DWCRA group members will be preferred was not notified. The petitioner is a leader of DWCRA group of West Gangavaram village and as a group leader and for the benefit of the group, petitioner is entitled for grant of fair price shop dealership in her favour. He also contends that not notifying such preferential note as contemplated in G.O.Ms.No.53 dated 6.10.2003 is arbitrary and illegal.

A detailed counter affidavit has been filed on behalf of respondents, wherein it is stated that the notification was issued keeping in view of the guidelines mentioned in G.O.Ms.No.53 dated 6.10.2003.

In view of the above, without expressing any opinion on merits,

the respondents are directed to complete the process of appointment of fair price shop dealer against West Gangavaram village as notified on 7.5.2005 keeping in view of the preferential treatment for which the petitioner is entitled as a leader of DWCRA group, as per law.

The writ petition is accordingly disposed of. No order as to costs.

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C.V.RAMULU,
J

Date: 26.10.2006

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THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.17280 of 2005

26.10.2006

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.17280 of 2005

Date: 26th October, 2006

Between:

Dasari Ramanamma .. Petitioner

And

The Revenue Divisional Officer,
Kandukur, Kurchedu mandal,
Prakasam district & another.

.. Respondents